EUROPEAN MEDICINES AGENCY
SCIENCE MEDICINES HEALTH

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Human Medicines Development and Evaluation

Mandate, objectives and rules of procedure for the scientific advisory groups (SAGs) and ad-hoc experts groups.

I. LEGAL BASIS

- Article 56(2) of Parliament and Council Regulation (EC) No 726/2004 of 30 April 2004, the CHMP may establish SAGs in connection with the evaluation of specific types of medicinal products or treatments, to which the Committee may delegate certain tasks associated with drawing up the scientific opinions
- Article 61(8) of Parliament and Council Regulation (EC) No 726/2004 of 30 April 2004, the CHMP shall in particular lay down procedures relating to working parties and SAGs
- Article 62(1) of Parliament and Council Regulation (EC) No 726/2004 of 30 April 2004, the applicant may request that the Committee consult a scientific advisory group in connection with the re-examination of its opinion
- Article 78(2) of Parliament and Council Regulation (EC) No 726/2004 of 30 April 2004, SAGs shall in general matters establish contacts, on an advisory basis, with parties concerned with the use of medicinal products, in particular patient organisations and heath care professionals' associations relevant to the of the indication of the medicinal product concerned
- Article 80 of Parliament and Council Regulation (EC) No 726/2004 of 30 April 2004, the internal rules and procedures of the Agency, its committees and its working groups shall be made available to the public at the Agency and on the Internet

II. GENERAL CONSIDERATIONS

Scientific Advisory Groups (SAGs) are created by the CHMP to deliver answers, on a consultative basis, to specific questions addressed to them. The Committee, while taking into account the position expressed by the SAG, remains responsible for its final opinion. SAGs report back to the CHMP.

As per current regulation it is up to the discretion of the CHMP to convene a SAG meeting. In order to ensure consistent decisions with regard to the need of arranging a SAG meeting and to facilitate its adequate organisation, such a meeting should be considered whenever there are diverging views/split opinions within the CHMP on clinical grounds -ideally at or after the LoQ/RSI if major clinical objections are unlikely to be solved. Furthermore, it would be useful in situations where an Article 20 procedure is envisaged.

When the issues refer to a therapeutic area for which no specific SAG has been constituted, an ad-hoc expert group will be organised and will follow the SAG mandate.

7 Westferry Circus ● Canary Wharf ● London E14 4HB ● United Kingdom
Telephone +44 (0)20 7418 8400 **Facsimile** +44 (0)20 7418 8613
E-mail info@ema.europa.eu **Website** www.ema.europa.eu
An agency of the European Union

III. MANDATE AND OBJECTIVES

The SAG will be convened at the request of the CHMP and any decisions on issues discussed by the SAG will be made by the CHMP.

The SAG is established to provide an independent recommendation on scientific /technical matters related to products under evaluation through centralised regulatory procedures and Referrals by the CHMP or any other scientific issue relevant to the work of the Committee.

The SAG could also be consulted through the CHMP on scientific questions by other EMA's Committees related to human medicines, by the Commission (e.g. in collaboration with the WHO) and by the Scientific Advice Working Party.

Working Parties and Drafting Groups may request the CHMP to get scientific input on guidelines.

The SAG has the opportunity to identify scientific issues that may need further discussion within the SAG, subject to the agreement by the CHMP.

IV. COMPOSITION AND RULES OF PARTICIPATION

The SAG is composed of experts selected according to their specific expertise.

The SAG will comprise both a core group –which ensures continuity and consistency within the group- and additional experts who may be called upon to participate to a given meeting or series of meetings on a specific issue about which they have relevant professional education, training and experience, therefore bringing additional expertise in specific domains on a case-by-case basis.

Patient and consumer representatives may be appointed by CHMP to attend the SAG meeting as additional experts, where appropriate.

Members of the SAG will be independent experts and will not be members of any EMA Committee nor EMA or European National Competent Authorities (NCA) staff.

Experts from non-EEA countries may also be appointed by the CHMP.

EMA's Committees and Working Parties members, other than the concerned (Co) Rapporteurs, assessors from NCAs, visiting experts and regulators from non-EEA countries under confidentiality agreement with the Agency may participate as observers and their presence should be notified to the CHMP.

EMA conflict of interest rules apply to all SAG experts (core and additional). EMA confidentiality rules apply to all participants, including observers.

Appointment of the core members

Twelve core members will be selected for their clinical/technical expertise and independence in the field of interest and will be nominated for a period of 3 years.

The core group should reflect a balanced composition of scientific expertise and therefore members should have diverse professional education, training and experience. The composition of the core group should, as far as possible, reflect different schools of thinking or European therapeutic practices.

An expert in clinical trials methodology and biostatistics should always be one of the core members and may be appointed to more than one SAG.

The inclusion of experts on paediatrics and on advanced therapies should be considered.

The CHMP Members and EMA shall propose experts to be core members of the SAG In order to get a list of candidates, learned societies can be contacted by The EMA. The SAG Secretariat will collect all suggestions and propose a panel of core members for appointment by the CHMP.

Core members will be included in the EMA Experts Database.

The core members of the SAG shall commit to active participation in the activities of the group. Should a member fail to attend for any reason for more than 3 meetings in less than 2 years (or attend less than 50% of the meetings during the same period), replacement of the member will be considered by the CHMP.

V. MEETING FREQUENCY

The SAG will meet on the request by the CHMP. The SAG Secretariat should schedule a frequent number of meetings, where applicable

VI. TERMS OF DURATION OF THE SAG

The duration of the SAG activity will be decided on by the CHMP.

VII. RULES OF PROCEDURE

The conclusions of the SAG meeting should be reflected in the "Answers and Comments to the CHMP" document.

1. Responsibilities of Chairperson and Vice-Chairperson

1.1. The Chairperson, and in his/her absence the Vice-Chairperson, is responsible for the efficient conduct of the business of the SAG and shall in particular:

- Propose to the CHMP additional experts to a SAG meeting as appropriate
- Plan the work of the SAG meetings, together with the SAG secretariat
- Monitor, together with the SAG secretariat, that the mandate and rules of procedure are followed
- Ensure that at the beginning of each meeting any potential conflict of interest is declared
- Assume responsibility for the conduct and running of the meetings
- Ensure that the CHMP Questions for the SAG and any additional topics of the agenda are discussed
- Ensure that all SAG members have the opportunity to express their views
- Before the end of each meeting, summarise the conclusions of the SAG on each question raised by the CHMP for inclusion in the SAG Answers and Comments to the CHMP. He/she should get formal verbal agreement from the SAG members on the main conclusions and answers to the CHMP. This summary will be the content of the debriefing to the applicant
- Ensure that scientific grounds are adequately reflected in the SAG Answer and Comments document
- In case consensus can not be reached, ensure that all the views expressed by the SAG members are reflected and justified in the SAG Answers and Comments to the CHMP
- Provide feedback from the SAG discussions including divergent views to the CHMP plenary meeting, where requested

1.2. The Vice-Chairperson will deputise for the Chairperson when the latter is unable to undertake all or part of the above-listed responsibilities. On such occasions, the Chairperson will seek the agreement of the Vice-Chairperson as early as possible, and shall inform the SAG secretariat immediately, in particular, when it concerns chairing an entire meeting. In case the Vice-Chairperson is unable to undertake the delegated responsibilities, the Scientific Secretary will propose a member from the SAG core group as acting chairperson with the agreement of the SAG.

2. Election of Chairperson and vice Chairperson

2.1. Core members of the SAG shall elect one of its core members to be proposed to the CHMP as Chairperson for the SAG and one as Vice-Chairperson, respectively. The CHMP thereafter appoints the Chairperson and the Vice-Chairperson. The Chairperson and Vice-Chairperson of the SAG shall be elected for a term of three years, which may be renewed once. Regardless of the time of election, the Chairperson and Vice-Chairperson shall be appointed for the remaining term of the SAG should this be shorter than 3 years.

2.2 Candidatures for Chairperson and Vice-Chairperson should be expressed verbally or in writing to the SAG secretariat before or at the start of the SAG meeting at which the election is to take place. To fulfil the function as chair, the candidate should have a very low potential for conflict of interest with regard to products envisioned to be discussed.

2.3. Candidates shall submit a brief résumé in support of their candidature at the time of applying for it.

2.4. The election of the Chairperson and the Vice-Chairperson shall be by absolute majority of the core members of the SAG and by secret ballot. If absolute majority is not reached, the candidate(s) with the lowest number of favourable votes shall withdraw [a tie in the decisive round, another round is organised with two remaining candidates. If, at the decisive round, the candidate with the highest number of votes does not get an absolute majority, a further round of voting is organised with this candidate only, where he/she needs favourable votes by at least half of the total number of SAG core members eligible to vote plus one, to be elected Chairperson or Vice-Chairperson, as the case may be.

2.5. In the event of resignation of the Chairperson, the Vice-Chairperson shall take the chair until a new election is convened.

2.6 In case of an ad hoc expert group meeting, the Chair will be chosen from among the experts at the start of the meeting.
To fulfil the function as chair, the candidate should have a very low potential for conflict of interest with regard to products envisioned to be discussed.

3. Organisation of meetings and reporting arrangements

3.1. The SAG shall meet at the Agency. Participation by video/teleconference is facilitated.

3.2. The dates of meetings are decided on by the EMA in agreement with the SAG chairperson and the CHMP.

3.3. The meetings will be held and the Answers and Comments document will be in English.

3.4. The draft agenda for every meeting shall be circulated, together with the relating documents, by the SAG secretariat, in consultation with the Chairperson, in good time before the meeting.

3.5. The list of meeting documents and participating experts shall be made available by the SAG secretariat to the company/applicant 48 hours before the SAG meeting.

3.6. When a member of the SAG is unable to participate in a meeting, part of meeting, or discussion of a topic due to conflict of interest, he/she must inform the Secretariat in advance.

3.7. The proposal for a SAG meeting and the conduct and objectives of such a SAG meeting shall particularly consider the following points:

- Rapporteurs, or CHMP members shall comment on the potential need for a SAG meeting as early as possible, such as at the time of the list of questions, list of outstanding issues or request for supplementary information during the centralised procedure. In addition, the company/applicant may request that the Committee consult a SAG in connection with the re-examination of its opinion.
- The decision to convene a SAG meeting is taken by the CHMP.
- CHMP members, SAG Chairperson, SAG secretariat in liaison with learned societies propose additional experts.
- CHMP nominates all participants at the SAG meeting.
- The SAG Secretary shall liaise with the SAG Chairperson to propose the agenda and arrangements of the meeting.
- The SAG Secretariat will invite participants, naming the products and companies concerned in the CHMP List of Questions for the SAG, and request updated declarations of conflict of interest.
- Provided that confidentiality agreements are signed, the SAG Secretary will ensure that the CHMP List of Questions for the SAG adopted by the CHMP and all relevant supporting documents, including the (Co)Rapporteurs Assessment Reports, are sent to the SAG members in good time before the meeting.
- The CHMP Rapporteur and the Co-Rapporteur and from the CAT where applicable (medicinal products), the WP (Co)Rapporteur (guidelines) or the scientific advice Co-ordinators (scientific advice) shall be invited to attend the SAG meeting, to present the List of Questions and to provide any additional information to the SAG
- Observers are not entitled to participate in the SAG discussions, but they can express their point of view on the request of the SAG Chairperson
- (Co)-Rapporteurs could ask to the SAG Chair that one or more of their assessors intervene in the discussion.
- The company/applicant or a third party may be invited to provide an oral explanation in front of the SAG following agreement from the CHMP and they will attend the (Co)-Rapporteur' presentations.

- The SAG shall not make conclusions during or after these presentations in the presence of the company or any third party.
- A debriefing meeting with the company will occur after the end of the SAG meeting. It will be led by the SAG Chair and the (Co)-Rapporteur will contribute. The EMA will ensure that what is said at debriefing corresponds to the conclusions of the discussion and is later on well reflected in the SAG answers and comments to the CHMP. During the debriefing with companies, any regulatory discussion on the subsequent steps in the procedure should not be carried out, but a separate meeting can be arranged by the (Co)Rapporteurs and the EMA PTL following the debriefing.
- The SAG Answers and Comments to the CHMP will contain answers to the CHMP List of Questions for the SAG, and a justification for each answer. Where consensus cannot be reached on an answer, the conclusion reached by the majority together with any divergent positions within the SAG will be noted and explained in the SAG Answers and Comments to the CHMP. Post meeting comments from experts changing the responses agreed during the meeting should not be allowed.
- The SAG Secretary and Chairperson will be responsible for finalising the SAG Answers and Comments to the CHMP to be adopted by the SAG and circulated to the CHMP for information.
- The part of the draft "SAG Answer and Comments to the CHMP" relating to specific product(s) will be released to the concerned company.
- The CHMP List of Questions for the SAG, and the SAG Answers and Comments to the CHMP shall be reflected in the CHMP Assessment Reports, as appropriate, and thus appended to the CHMP opinion. If, on request by a company the Committee has consulted a SAG in connection with the re-examination of its opinion, the views of the SAG should also be included in the CHMP Assessment Report adopted by the Committee.
- Whenever possible, the Chairperson of the SAG shall be available during a CHMP meeting, to provide feedback from the SAG discussions including divergent views to the CHMP.
- In the case of issues being initially raised by other EMA's Committees or Working Parties, the SAG will report to the CHMP and if applicable, to the other Committee or WP concerned. The use of tele- and videonference is encouraged.

4. Participation of Additional Experts in SAG meetings

- CHMP Members, SAG Chair and the EMA will make proposals for additional experts on the basis of their expertise in the therapeutic area or field to be covered by the particular SAG meeting, according to the CHMP List of Questions for the SAG.
- In order to prepare a list of candidates, SAG secretariat could consult learned societies.
- If there is no patient representative as core member, one or more will be appointed as additional experts.
- When the questions to the SAG raised by the CHMP refer to paediatric issues or advanced therapies, the relevant Committees will be requested to propose additional experts.
- If the SAG meeting has been requested by other Committees than the CHMP, additional experts may also be proposed by them.
- If additional experts are not already in the EMA Experts Database, they will be included following nomination by the CHMP.

5. Guarantees of independence

5.1. The experts referred to above shall not have any direct interests in the pharmaceutical industry, which could affect their impartiality. They shall undertake to act in the public interest and in an independent manner, and shall make an annual declaration of their interests. All reported interests, which could relate to the pharmaceutical industry, shall be accessible to the public, on request, at the Agency's office.

5.2. Experts attending the SAG meetings shall declare at the beginning of each meeting any specific interests, which could be considered to be prejudicial to their independence with respect to the points of the agenda. These declarations shall be made available to the public upon request.

5.3. The specific provisions for handling declaration of interests and confidentiality undertakings as defined in the EMA Policy on the Handling of Conflicts of Interests for Committee Members and Experts, in its current version as adopted by the Management Board, are applicable to members of the SAG and experts participating in the activities of the SAG.

5.4. The experts shall not accept any instructions incompatible with the tasks incumbent upon them within the Agency from Member States. It is essential for these tasks to remain strictly scientific in nature.

5.5. The same principles apply to observers.

6. Code of conduct

Experts participating in the EMA's activities shall abide by the principles set out in the EMA Code of Conduct.

7. EMA secretariat

7.1. Under the authority of the Executive Director, the EMA secretariat shall provide technical, scientific and administrative support to the SAG. This includes the following:

- Provide technical and scientific support to the SAG
- Provide legal and regulatory support to the SAG
- Prepare -in consultation with the Chairperson- the Answers and Comments document to be conveyed to the CHMP
- Prepare and co-ordinate the work of the SAG in consultation with the Chairperson
- Organise meetings of the SAG and ensure timely circulation of meeting documents
- Inform (by email) the SAG members of the CHMP outcome and, if necessary, provide adequate feedback at the start of the following SAG meeting
- Ensure adequate co-ordination of the work carried out within the SAG and as relevant with the CHMP and its working parties
- Ensure scientific and regulatory consistency of the recommendations of the SAG in cooperation with the Chairperson
- Prepare the SAG Answers and Comments to the CHMP in consultation with the Chairperson
- Contribute to the debriefing meetings with the company/applicant, ensuring consistency.

7.2. The Executive Director of the Agency, members of the EMA secretariat and representatives of the Commission, may attend SAG meetings as observers.

8. Contacts with Interested Parties

8.1. The SAG will establish contacts in agreement with the CHMP, on an advisory basis, with parties concerned with the use of medicinal products, in particular patients organisations and health-care professionals' associations.

8.2. When considered appropriate by the Committee, oral presentations by interested parties can be made during SAG meetings. The SAG may also meet with interested parties to discuss general matters or specific scientific issues with the agreement of the Committee and under specific conditions to be agreed by the Committee.

8.3. The SAG shall neither conduct deliberations nor reach any formal decisions in the presence of members of interested parties.

9. General Provisions

The Members of the SAG as well as observers and all experts shall be bound, even after the cessation of their duties, not to disclose any information, which, by its nature, must be covered by individual professional secrecy. The EMA Guidance on Confidentiality and Discretion applies.
SAG members when participating in meetings or other fora on behalf of the Committee, shall ensure that the views expressed are those of the Committee. When they are participating not on behalf of the Committee, they shall make clear that the views expressed are their own.